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PART I-L

Notifications, Orders and Awards (other than those published in Part I,
IV-A, IV-B and IV-C) under (Central) Industrial Disputes Act
and Gujarat Industrial Relations Act

LABOUR, SKILL DEVELOPMENT AND EMPLOYMENT DEPARTMENT

Notification

Sachivalaya, Gandhinagar, Dated the 27th April, 2022.

Minimum Wages Act, 1948.

No. KHR-2022-52-LVD-10-2009-116193-M2:- The following draft of a notification which is proposed to be issued under clause (b) of sub-section (1) of section 3 read with clause (i) of sub - section (1) of section 4 of the Minimum Wages Act, 1948 (XI of 1948) (hereinafter referred to as "the said Act"), for revising the minimum rates of wages payable to the employees employed in the scheduled employment of ship Breaking Activities covered under entry 61 in Part-1 of the Schedule to the said Act (hereinafter referred to as "the said Scheduled employment") in the whole State of Gujarat specified in the schedule annexed to this draft notification is hereby published as required by clause (b) of sub-section (1) of section 5 of the said Act, for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration by the Government of Gujarat on or after the expiry of two months from the date of its publication in the *Official Gazette*.

2. Any objections or suggestions which may be received by the Deputy Secretary, Labour, Skill Development and Employment Department, Block No. 5, 6th Floor, New Sachivalaya, Gandhinagar from any person in respect of the said draft notification on or before the expiry of the aforesaid period will be taken into consideration by the Government.

DRAFT NOTIFICATION

Minimum Wages Act, 1948.

No. KHR-2022-52-LVD-10-2009-116193-M2:- In exercise of the powers conferred by clause (b) of sub-section (1) of section 3 read with clause (i) of sub-section (1) of section 4 of the Minimum Wages Act, 1948 (XI of 1948) and in supersession of the Government Notifications, Labour and Employment Department No. KHR-2014-50-MWA-10-2009-GOI.2-M(2), dated the 21st February, 2014, the Government of Gujarat hereby revises the minimum rates of wages in respect of employees employed in the "61. Employment in Ship Breaking Activities in the state of Gujarat", as follows:-

(a) The basic rates of wages payable to the employees employed in the said employment by the day shall be as set out in column 3 of the Schedule appended hereto in respect of the class of employees mentioned in column 2 of the Schedule;

(b) a special allowance and directs that so long as this notification is in force, the rate of such special allowance shall be adjusted by the competent authority, at the interval of every six months commencing from the 1st October and the 1st April on the basis of the average cost of Living Index Number for the preceding period for six months ending on the 30th June and 31st December, respectively in such manner that;

- (i) for the rise of every five points over the cost of Living Index Number 7270 or over any such number which is greater than 7270 applicable to the employees in the said Scheduled Employment, the special allowance payable in addition to the basic rates of wages shall be Rs.0.20 paise per day or Rs.05.20 per month;
- (ii) for the fall of every five points below any cost of Living Index Number which is not less than 7270, the special allowance shall be reduced at the rate of Rs.0.20 paise per day or Rs.05.20 per month;

Provided that the rates of special allowance for the first time after the publication of this notification adjusted at the interval of the period of six months commencing from the 1st October or as the case may be, the 1st April, the prospective month of that particular year.

SCHEDULE

61. Employment in Ship Breaking Activities

Sr.No.	Classes of Employees	Minimum Rates of wages per day Zone-I
1.	2.	3.
I	Skilled Manager, Mukadam, Supervisor crane and vij(electric)Operator.	Rs. 430.00 + Special allowance
II	Semi-Skilled Battiwala (Gas cutter)	Rs. 417.00 + Special allowance
III	Un-Skilled Malpani, Begari, Helper	Rs. 404.00 + Special allowance

Explanation for the purpose of this notification:

- (1) The entire State shall be treated as one Zone-I.
- (2) In case of an employee employed on piece rate basis, the minimum rate of wages shall be so fixed that the minimum rates of wages plus special allowance payable to him, for the number of hours of work which constituted normal working day, shall not be less than the daily wages fixed for the class of employees to which he belongs.
- (3) The employees employed on part-time basis shall be paid fifty percent of the minimum rates of wages plus special allowance, if he works up to four hours and if he works for more than four hours, he shall be paid full minimum rates of wages plus special allowance.
- (4) The employees employed by contractor or other agencies shall not be paid less than the wages plus special allowance payable to the category of the employees to which they belong.
- (5) The perquisites or facilities given to an employee shall not be withdrawn and no deduction shall be made in respect of such perquisites or facilities given to an employee after fixation of minimum rates of wages plus special allowance.
- (6) Male, female and transgender employees should be given equal wages for equal work.
- (7) The minimum rates of wages payable to an apprentice employed on skilled or semi-skilled work shall be seventy five percent of the minimum rates of wages fixed for the class of employees to which he belong, in addition to special allowance fixed for the first three months. After three months he shall be paid in full.

By order and in the name of the governor of gujarat,

AJIT MAVANI,
Under Secretary to Government.

Notification

Sachivalaya, Gandhinagar, Dated the 28th April, 2022.

Minimum Wages Act, 1948.

No. KHR-2022-53-LVD-10-2009-431439-M(2):- The following draft of a notification which is proposed to be issued under clause (b) of sub-section (1) and sub-section (3) of section 3 read with clause (i) of sub-section (1) of section 4 of the Minimum Wages Act, 1948 (XI of 1948) (hereinafter referred to as "the said Act"), for revising the minimum rates of wages payable to the employees employed in the Schedule 60. "Employment in Sweeping and Cleaning" excluding activities prohibited under the "Employment of manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993, covered under entry 60 in part 1 of schedule to the said Act not falling under any other entries in the Schedule appended to the said Act, (hereinafter referred to as "the said Scheduled Employment") in the State of Gujarat" specified in the Schedule annexed to this draft notification is hereby published as required by clause (b) of sub-section (1) of section 5 of the said Act, for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration by the Government of Gujarat on or after the expiry of two months from the date of its publication in the *Official Gazette*.

2. Any objections or suggestions which may be received by the Deputy Secretary to Government, Labour, Skill Development and Employment Department, Block No. 5, 6th Floor, New Sachivalaya, Gandhinagar from any person in respect of the said draft notification on or before the expiry of the aforesaid period will be taken into consideration by the Government.

DRAFT NOTIFICATION

Minimum Wages Act, 1948.

No. KHR-2022-53-LVD-10-2009-431439-M(2):- In exercise of the powers conferred by clause (b) of sub-section (1) and sub-section (3) of section 3 read with clause (i) of sub-section (1) of section 4 of the Minimum Wages Act, 1948 (XI of 1948) and in supersession of the Government Notifications, Labour and Employment Department No. KHR-2014-51-MWA-10-2009-437-M(2), dated 21st February, 2014, the Government of Gujarat hereby revises the minimum rates of wages in respect of employees employed in the "Employment in sweeping and Cleaning" excluding activities prohibited under the Employment of manual Scavengers and Construction of Dry Latrines (Prohibition) Act, 1993, covered under entry 60 in part 1 of schedule to the said Act not falling under any other entries in the Schedule appended to the said Act, in the state of Gujarat", as follows.

- (a) The basic rates of wages payable to the employees employed in the said schedule employment by the day shall be as set out in column 3 of the schedule appended hereto in respect of areas as specified in column 2 of the said Schedule,
- (b) special allowance and directs that so long as this notification is in force, the rates of such special allowance shall be adjusted by the Competent Authority, at the interval of every six months commencing from the 1st October and the 1st April on the basis of the average cost of Living Index Number for the preceding period for six months ending on the 30th June and 31st December, respectively in such manner that:-
 - (i) for the rise of every five points over the cost of Living Index Number 7270 or over any such number which is greater than 7270 applicable to the employees in the said Scheduled Employment, the special allowance payable in addition to the basic rates of wages shall be Rs.0.20 paise per day or Rs.05.20 per month,
 - (ii) for the fall of every five points below any cost of Living Index Number which is not less than 7270, the special allowance shall be reduced at the rate of Rs.0.20 paise per day or Rs.05.20 per month:

Provided that the rate of special allowance for the first time after the publication of this notification shall be adjusted at the interval of the period of six months commencing from the 1st October or as the case may be, 1st April, the prospective month of that particular year.

SCHEDULE

60. Employment in Sweeping and Cleaning excluding activities prohibited under the "Employment of Manual Scavengers and Construction of Dry Latrine (Prohibition) Act, 1993".

Sr.No	Area	Minimum rates of wages per day.
1.	2.	3.
I	Area-A shall comprise the area in the state of Gujarat within the limits of Ahmedabad Municipal Corporation as constituted under the Gujarat Provincial Municipal Corporations Act, 1949, and the areas falling within a peripheral distance of ten kilometers from the aforesaid limits.	Rs. 384.00+Special allowance
II	Area-B shall comprise the area in the state of Gujarat within the limits of Rajkot, Bhavnagar, Surat, Vadodara, Jamnagar, Gandhinagar and Junagadh Municipal Corporation as constituted under the Gujarat Provincial Municipal Corporations Act, 1949, and the areas falling within a peripheral distance of five kilometers from the aforesaid limits.	Rs. 381.00+Special allowance
III	Area-C shall comprise all the other areas in the state of Gujarat not included in Area-A and Area-B	Rs. 379.00+ Special allowance

Explanation for the purpose of this Notification :

- (1) In case of an employee employed on piece rate basis, the minimum rate of wages shall be so fixed that the minimum rates of wages plus special allowance payable to him, for the number of hours of work which constituted normal working day, shall not be less than the daily wages fixed for the class of employees to which he belongs.
- (2) The employees employed on part-time basis shall be paid fifty percent of the minimum rates of wages plus special allowance, if he works up to four hours and if he works more than four hours, he shall be paid full minimum rates of wages plus special allowance.
- (3) The employees employed by contractor or other agencies shall not be paid less than the wages plus special allowance payable to the category of the employees to which they belong.
- (4) The perquisites or facilities given to an employee shall not be withdrawn and no deduction shall be made in respect of such perquisites or facilities given to an employee after fixation of minimum rates of wages plus special allowance.
- (5) Male, female and transgender employees should be given equal wages for equal work.
- (6) The minimum rates of wages payable to an apprentice employee on skilled or semi-skilled work shall be seventy five percent of the minimum rates of wages fixed for the class of employees to which he belongs in addition to, special allowance for the first three months. After three months he shall be paid in full.

By order and in the name of the Governor of Gujarat.

AJIT MAVANI,
Under Secretary to Government.

